

10/578579
AP20 Rec'd PCT/PTO 03 MAY 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Ralf KUHNER, et al. §
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Conf. No.: Not Yet Assigned § Group Art Unit: Not Yet Assigned
§
Appln. No.: Not Yet Assigned § Examiner: Not Yet Assigned
§
Filing Date: Not Yet Assigned § Attorney Docket No.: 052460-15US
§ (M/ERB-119 PC/US)
Title: CONTROL DEVICE FOR CONTROLLING ELECTROMEDICAL APPLIANCES

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)

Enclosed is an Information Disclosure Citation Form PTO/SB/08A and/or 08B in accordance with 37 C.F.R. § 1.98(a)(1) and (a)(2) listing all patents, publications, applications, and/or other information being submitted for consideration which may be material to the patentability of this application and/or for which there may be a duty to disclose in accordance with 37 C.F.R. § 1.56. Also enclosed are copies of each of the foreign patents and/or non-patent literature documents cited therein but not copies of any U.S. patents and/or U.S. patent application publications in accordance with 37 C.F.R. § 1.98(a)(2). However, we will provide copies upon request.

Some of the enclosed references were cited in an International Search Report (copy enclosed) dated February 15, 2005 from the European Patent Office concerning counterpart International Application No. PCT/EP2004/012261. Additional references are cited and discussed in a German Office Action (copy enclosed) dated June 3, 2004. An English language translation of pertinent portions of the German Office Action is attached hereto.

The filing of this Information Disclosure Statement shall not be construed as an admission that any of the listed documents constitutes prior art, nor as an admission against interest in any manner.

No fee is believed to be due in connection with the filing of this Information Disclosure Statement since it is being filed within three months of the filing date of the above-identified

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application. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 50-1017. **JAP20 Recd. 2003 MAY 03 2006**

It is respectfully requested that this Information Disclosure Statement and the documents listed on the attached Form PTO/SB/08A and/or 08B be considered and acknowledged by the Examiner in connection with the above-identified patent application, be made of record therein, and that the listed document(s) be cited in the issued patent.

Respectfully submitted,

Ralf KUHNER, et al.

May 3, 2006
(Date)

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WWS:sm
Enclosures

INFORMATION DISCLOSURE STATEMENT BY APPLICANT <small>(Not for submission under 37 CFR 1.99)</small>	Application Number		601318579	
	Filing Date		2000-01-25	
	First Named Inventor		Ralf KUHNER et al.	
	Art Unit		3600	
	Examiner Name			
	Attorney Docket Number		052460-15US MERB119PCUS	

U.S. PATENTS						
Examiner Initial*	Cite No	Patent Number	Kind Code ¹	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1	6017354		2000-01-25	CULP et al.	
	2	6051797		2000-04-18	MEINEL	
	3	5712460		1998-01-27	CARR et al.	
	4	5777602		1998-07-07	SCHALLER et al.	
	5	6280436	B1	2001-08-28	FREEMAN et al.	

If you wish to add additional U.S. Patent citation information please click the Add button.

U.S. PATENT APPLICATION PUBLICATIONS

Examiner Initial*	Cite No	Publication Number	Kind Code ¹	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1	20020156466	A1	2002-10-24	SAKURAI et al.	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		101578579	
	Filing Date			
	First Named Inventor		Ralf KUHNER et al.	
	Art Unit			
	Examiner Name			
	Attorney Docket Number		052460-15US MERB119PCUS	

	2	20020115917	A1	2002-08-22	HONDA et al.	
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If you wish to add additional U.S. Published Application citation information please click the Add button.

FOREIGN PATENT DOCUMENTS

Examiner Initial*	Cite No	Foreign Document Number ³	Country Code ²	Kind Code ⁴	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T5
	1	203 12 016	DE	U1	2003-11-20	steute Schaltgerate GmbH		<input type="checkbox"/>
	2	1 217 640	EP	A2	2002-06-26	Pizzato Elettrica S.r.l.		<input checked="" type="checkbox"/>
	3	02/32354	WO	A1	2002-04-25	Alcon, Inc.		<input checked="" type="checkbox"/>
	4	102 21 787	DE	A1	2003-01-09	J. Morita Mfg. Corp.		<input type="checkbox"/>
	5	41 25 313	DE	A1	1993-02-04	Ritter GmbH Dentaleinrichtungen		<input type="checkbox"/>
	6	695 27 537	DE	T2	2003-03-06	Chiron Vision Corp.		<input type="checkbox"/>
	7	198 01 152	DE	A1	1999-07-22	Siemens AG		<input type="checkbox"/>
	8	197 30 456	DE	A1	1999-01-21	Gebruder Berchtold GmbH		<input type="checkbox"/>

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Application Number		101570579	
	Filing Date		10/07/2005	
	First Named Inventor		Ralf KUHNER et al.	
	Art Unit			
	Examiner Name			
	Attorney Docket Number		052460-15US MERB119PCUS	

	9	0 864 293	EP	A1	1998-09-16	Hewlett-Packard Company	<input checked="" type="checkbox"/>
	10	02/14970	WO	A2	2002-02-21	Gamewalk Limited	<input checked="" type="checkbox"/>
	11						<input type="checkbox"/>

If you wish to add additional Foreign Patent Document citation information please click the Add button

NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.	T5
	1		<input type="checkbox"/>

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EXAMINER SIGNATURE

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.

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	Art Unit		
	Examiner Name		
	Attorney Docket Number	052460-15US MERB119PCUS	

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

See attached certification statement.
 Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
 None

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/William W. Schwarze/	Date (YYYY-MM-DD)	2006-05-03
Name/Print	William W. Schwarze	Registration Number	25918

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these record s.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.